

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
Western Division
Docket No. 5:94-CR-97-6F**

United States Of America

vs.

Timothy Gerome McCullers

JUDGMENT

On this the 22nd day of January, 2010, comes Erica W. Foy, U.S. Probation Officer, in open court at Wilmington, North Carolina, who shows the court that Timothy Gerome McCullers appeared before the Honorable James C. Fox, Senior U.S. District Judge, with counsel on February 16, 1995, and upon a plea of guilty to 21 U.S.C. § 846, Conspiracy to Possess With Intent to Distribute Cocaine and 7 U.S.C. § 2024(b) and 2, Trading Food Stamps for Crack and Aiding and Abetting, was sentenced to the custody of the Bureau of Prisons for a term of 235 months. Additionally, it was ordered by the court that the defendant be placed on supervised release for 60 months upon release from imprisonment. On September 5, 1995, the court reduced his sentence to 180 months. Timothy Gerome McCullers was released from custody and the term of supervised release commenced on June 8, 2007.

From evidence presented, the court finds as a fact that Timothy Gerome McCullers, who is appearing before the court with counsel, has violated the terms and conditions of the judgment as follows:

1. Using a controlled substance.
2. Failure to answer truthfully inquiries by the probation officer.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the supervised release term heretofore granted be revoked, and the defendant is ordered committed to the custody of the Bureau of Prisons or its authorized representative for imprisonment for a period of 6 days with credit for time served.

IT IS FURTHER ORDERED that upon release from custody, the defendant be placed on supervised release for a term of 15 months under the standard conditions of supervised release and the following additional conditions which were previously imposed by the court:

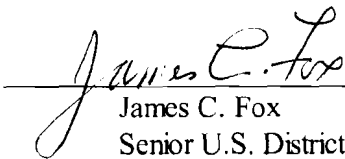
1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

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2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall participate in such vocational training program as may be directed by the probation office.
4. The defendant shall submit a written weekly report to the probation office, if not regularly employed, of attempts to secure gainful employment.
5. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days.

IT IS FURTHER ORDERED that the Clerk provide the U.S. Marshal a copy of this Judgment and same shall serve as the commitment herein.

This the 22nd day of January, 2010.


James C. Fox
Senior U.S. District Judge